

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50004 of 2016

Arising Out of PS.Case No. -114 Year- 2014 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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Laxman Sahani Son of Dharman Sahani, resident of Village - Noneya Dhab
Tola, Police Station- Paharpur, District- East Champaran..... .. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Smt. Meena Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Paharpur P.S. Case No. 114 of 2014 registered for the offences
punishable under Sections 341, 323, 324, 326, 307, 504, 379,
506/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, Raju Tiwary, Allauddin Miyan and the
petitioner being armed came down from Fortuner vehicle and
surrounded Manoj Mishra and Piyush Kumar who were on
motorcycle. Raju Tiwary started abusing and stated that now it is
your last day, behind them there was scorpio vehicle wherein
Mukhi Sahani, Ramji Sahani, Ashesar Sahani, Anil Sahani,
Chandan Kumar and Suraj Kumar were sitting with arms. Raju
Tiwary directed to open fire and then all started opening fire



causing several firearm injuries to the informant and Piyush Kumar, both fell down and after considering that both have been murdered all the accused persons fled away.

Submission is of false implication and that, there is no specific allegation against the petitioner, the allegation is general and omnibus in nature, the petitioner was the only member of mob and the informant is a veteran criminal as he is involved in 20 cases mostly under Section 302 IPC, he has got several enemy and due to election rivalry the petitioner has been implicated falsely and as such the petitioner deserves sympathetic consideration to which the learned APP opposes by submitting that the petitioner is named in the FIR and murderous attack was made on two persons.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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